IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

WP(C).No. 30844 of 2003(V)

PETITIONERS:

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1. K.PRAKASH, S/O.VENATTU KARUNAKARAN,
   AGED 54 YEARS, SUB EDITOR GRADE -I (HG),
   STATE INSTITUTE OF ENCYCLOPEDIA PUBLICATIONS(SIEP)
   KILLIPPALAM, THIRUVANANTHAPURAM.

2. DR.K.RAMABHADRAN,
   SUB EDITOR GRADE-I (HG), STATE INSTITUTE OF
   ENCYCLOPEDIA PUBLICATIONS, THIRUVANANTHAPURAM.

3. DR.K.K.HARIHARAN,
   SUB EDITOR GRADE-I (HG), STATE INSTITUTE OF
   ENCYCLOPEDIA PUBLICATIONS, THIRUVANANTHAPURAM.

4. R.L.VENU,
   SUB EDITOR GRADE-I, STATE INSTITUTE OF
   ENCYCLOPEDIA PUBLICATIONS, THIRUVANANTHAPURAM.

5. DR.R.SARASWATHI AMMA,
   SUB EDITOR GRADE-II (HG), STATE INSTITUTE OF
   ENCYCLOPEDIA PUBLICATIONS, THIRUVANANTHAPURAM.

6. DR.V.S.MOHAN BHAS,
   SUB EDITOR GRADE-II (HG), STATE INSTITUTE OF
   ENCYCLOPEDIA PUBLICATIONS, THIRUVANANTHAPURAM.

7. V.LATHIKUMARI,
   SUB EDITOR GRADE-II (HG), STATE INSTITUTE OF
   ENCYCLOPEDIA PUBLICATIONS, THIRUVANANTHAPURAM.

8. NOBBY MARY JACOB,
   SUB EDITOR GRADE-II (HG), STATE INSTITUTE OF
   ENCYCLOPEDIA PUBLICATIONS, THIRUVANANTHAPURAM.

BY ADV. DR.K.P.KYLASANATHA PILLAY
SRI.V.SADASIVAN
SRI.ARUN.B.VARGHESE
SRI.T.P.DEYANANTHAN
SMT.SREEDEVI KYLASANATH

RESPONDENTS:
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1. THE STATE INSTITUTE OF ENCYCLOPEDIC PUBLICATIONS (KERALA), THIRUVANANTHAPURAM, REPRESENTED BY ITS DIRECTOR.

2. THE GOVERNING BODY OF THE STATE INSTITUTE OF ENCYCLOPEDIC PUBLICATIONS, THIRUVANANTHAPURAM-14, REPRESENTED BY THE DIRECTOR

3. THE SECRETARY TO GOVERNMENT, CULTURAL AFFAIRS DEPT., GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

4. P.S ALPHONSA, SUB EDITOR GRADE II, STATE INSTITUTE OF ENCYCLOPEDIC PUBLICATIONS, KILLIPPALAM, THIRUVANANTHAPURAM.

ADDL. R4 IS IMPLEADED AS PER ORDER DT. 8-1-2004 IN I.A.49/2004.

BY GOVERNMENT PLEADER SRI. NOBLE MATHEW
SRI.KRB.KAIMAL
SRI.GEORGE POONTHOTTAM,SC,SIEP

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PETITIONERS' EXHIBITS:

EXT.P1 TRUE COPY OF ORDER DT. 16-3-1985.

EXT.P2 DO. DO. DT. 16-3-1985.

EXT.P3 JUDGMENT DT. 26-8-1994 IN O.P.NO. 3612/1991.

EXT.P4 ORDER DT. 27-4-1999.

EXT.P4(a) PROVISIONAL SENIORITY LIST OF EDITORIAL STAFF AS ON 25-3-1999.

EXT.P5 ORDER DT. 15-6-1999.

EXT.P6 REPRESENTATION DT. 15-4-2003.

EXT.P7 REPRESENTATION DT. 21-6-1999.

EXT.P8 REPRESENTATION DT. 28-6-2003.

EXT.P9 D.O. LETTER DT. 19-7-2003.

EXT.P10 REPRESENTATION DT. 16-1-2004.

EXT.P11 ORDER DT.27-2-2004.

EXT.P11(a) PROCEEDINGS DT. 28-2-2004.

EXT.P12 PROCEEDINGS DT. 22-4-2004.

EXT.P13 ORDER DT.23-4-2004.

RESPONDENTS' EXHIBITS:

EXT.R4(a) OBJECTION DT. 9-12-2002.

EXT.R4(b) OBJECTION DT. 9-12-2002.

[TRUE COPY]

P.S TO JUDGE.

S. Siri Jagan, J.

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W.P(C) No. 30844 of 2003

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Dated this, the 14th February, 2007.

J U D G M E N T

This writ petition is filed seeking the following reliefs:

> "i) To issue a writ of mandamus or any other writ or order directing the respondents to proceed action to give due promotions to the petitioners by virtue of their seniority as per Exhibit P4(a) list within a stipulated time frame.
>
> ii) To issue a writ of mandamus or any other writ or order directing the respondents to give effect to the promotions with effect from the date of occurrence of vacancy notionally with the benefit of pay fixation and arrear claims within a stipulated time frame.
>
> iii) To issue a writ of mandamus or any other writ or order directing the respondents 1 and 3 to consider and pass orders on Exhibits P6, P7 and P8 representation within a time frame."

2. As far as the first relief is concerned, the petitioners themselves admit that Ext. P4(a) seniority list has been subsequently revised and promotions have been effected in accordance with the revised seniority list. The revised seniority list is not under challenge before me. Therefore, the first prayer has become infructuous. Regarding the second prayer, the same is a very general prayer without reference to any of the petitioners or any of the vacancies which have arisen. After arguing for some time, learned counsel for the petitioners submits that for the present, the petitioners would be satisfied with a direction to respondents 1 and 3 to consider and pass orders on Exts. P6, P7 and P8 representations.

3. Taking into account the facts and circumstances of the case, I direct the 1st respondent to consider and pass appropriate orders on Exts. P6, P7 and P8 representations as expeditiously as possible at any rate within two months from the date of receipt of a copy of this judgment. The writ petition is disposed of as above.

Sd/- S. Siri Jagan, Judge.

Tds/